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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,574	04/02/2004	Daryl Hamilton	08049.0929	3806
7590 11/06/2008 Finnegan, Henderson, Farabow, Garrett & Dunner, LLP 1300 I Street, NW Washington, DC 20005-3315				
EXAMINER AMSDOLL, DANA				
ART UNIT		PAPER NUMBER		
3627				
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11/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/817,574

Applicant(s)

HAMILTON, DARYL

Examiner

DANA AMSDELL

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgements

Application 10/817574 claiming priority from provisional application, filed April 4, 2003, is acknowledged.

Claims 1 – 18 have been examined.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 -18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Radican (US 6148291), here-in-after "Radican", in view of Sansone (US 5216620), here-in-after "Sansone".

3. Regarding claims 1, 7 and 13 being to a method, system and computer readable medium (column 4, lines 37-43), directed to tracking a tray of items, Radican teaches the receipt of a load container scan, the load container scan associating the container unique identifier with 'hard copy reports' (Fig. 3 – 'Status', and column 7, lines 42-44). Radican also discloses load content and status 'labels' with the monitoring system (column 13, lines 18-30), without actually specifying affixed labels; and he does disclose an embodiment utilizing "enhanced" label technology for tray application.

Sansone, however, does teach directly to a generated enhanced label (Fig. 1, elm. 22), the enhanced label comprising a routing code and a label unique identifier, the enhanced label being applied to the tray; associating a tray with a container, the container having a container unique identifier (column 1, lines 37-59 and Fig. 2b with column 4, lines 30-40). One of ordinary skill in the art at the time of invention would be motivated to combine the generation and affixation of a label as it makes use of state technology while allowing for a retrofit solution for postal service operations (see Sansone – Background).

4. Regarding claims 2, 3, 8, 9, 14 and 15, Radican teaches receiving a load vehicle scan, the load vehicle scan associating the container unique identifier with a vehicle identifier and a load and unload time (Fig.1, elm. V, Fig. 3- association between 'Status' and 'Time', and column 8, lines 45-55).

5. Regarding claims 4, 10 and 16, Radican further teaches receiving an unload container scan, the unload container scan associating the container unique identifier with an unload container time (Fig.1, elm. C and column 4, lines 60-67).

6. Regarding claims 5, 11, and 17, Sansone teaches wherein the label unique identifier comprises at least one of a machine identifier, a label source, a holdout identifier, a serial number, and a label type (Fig 2b and column 4, lines 30-42 (label type

being 'class of mail')) .

7. Regarding claim 6, 12 and 18, Sansone teaches wherein the routing code comprises at least one of a ZIP code, a content identifier number, a DOD code, and an MPC code (Fig. 2a - first 5 numbers of barcode being the ZIP code).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Allum et al. (US 5420403)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANA AMSDELL whose telephone number is (571)270-5210. The examiner can normally be reached on 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627